

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JEROME L. GRIMES,

Plaintiff,

v.

OFFICER PAUL MOURGOS, et al.,

Defendants.

No. C 07-80199M CW

ORDER RETURNING
COMPLAINT TO
PLAINTIFF

On December 9, 2005, this Court entered a pre-filing order regarding the cases filed by Plaintiff Jerome Grimes. The pre-filing order states that if Plaintiff files a complaint that is "related to any of the following matters:

- (1) a diversified group of individuals who commit acts of terror against Mr. Grimes, his family and other citizens;
- (2) an injunction against the defendants to prevent them from kidnaping, framing, falsely imprisoning or otherwise terrorizing Mr. Grimes, his family, and other citizens;
- (3) a court order for the defendants to be subjected to a lie detector test;
- (4) covert terrorism

it will not be filed unless it presents cognizable claims that are not based on merely conclusory allegations. Second, no other complaints filed by Mr. Grimes while he is not incarcerated or detained will be filed unless they contain intelligible factual allegations and claims for relief."

The Court has reviewed the instant complaint, C 07-80199M, and

1 finds that it alleges that Defendants have falsely imprisoned
2 Plaintiff for the crime of grand theft of a mountain bike because
3 they withheld exculpatory evidence. Based on this allegation,
4 Plaintiff asserts claims of due process of law, "right to the
5 preservation of exculpatory evidence," defamation of character and
6 intimidation. Because this complaint concerns one of the matters
7 mentioned in the pre-filing order, the Clerk of the Court is
8 ordered not to file it. Instead, the complaint shall be returned
9 to Plaintiff.

10 Furthermore, the Court notes that this complaint is
11 duplicative of case numbers C 07-80157M and C 07-80185M, both also
12 titled Grimes v. Mourgos, et al. and both also alleging that
13 Officer Paul Mourgos and other police officers framed Plaintiff for
14 the crime of grand theft. Case numbers C 07-80157M and C 07-80185M
15 were not accepted for filing because they came within the
16 prohibitions of the December 8, 2005 pre-filing order. Plaintiff
17 is instructed to refrain from re-filing complaints containing
18 claims that have already been deemed to fall under the December 9,
19 2005 pre-filing order.

20
21 IT IS SO ORDERED.

22
23 Dated: 8/21/07



CLAUDIA WILKEN
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JEROME L. GRIMES,

Plaintiff,

v.

OFFICER PAUL MOURGOS et al,

Defendant.

Case Number: CV07-80199 CW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 21, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Jerome L. Grimes
263 Vernon Street
San Francisco, CA 94132

Dated: August 21, 2007

Richard W. Wieking, Clerk
By: Sheilah Cahill, Deputy Clerk